

CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 193

Citations Affected: IC 36-4-3-4.1.

Synopsis: Annexation of agricultural land. Adds Danville, Brownsburg, Fortville, McCordsville, Bluffton, Rushville, Pendleton, and Cumberland to the municipalities that may exempt agricultural land from municipal property tax liability when the land is annexed and until the land is rezoned. Requires territory annexed by Avon, Plainfield, Danville, and Brownsburg to be contained within one township. Updates population parameters to reflect changes in the 2000 decennial census. (This conference committee report strips ESB 193 and adds the provisions of ESB 193 back into the bill with the following changes: (1) Removes a provision that requires agricultural land annexed under these provisions not to be considered a part of the municipality for purposes of annexing additional territory. (2) Adds Rushville, Bluffton, and Pendleton to the municipalities that may exempt agricultural land from municipal property tax liability when the land is annexed and until the land is rezoned. (3) Resolves conflicts between ESB 193 and SEA 399-2002.

Effective: July 1, 2002.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 193 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 36-4-3-4.1, AS AMENDED BY SEA 399-2002,
- 3 SECTION 159, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2002]: Sec. 4.1. (a) This section applies to the
- 5 following:
- 6 (1) A ~~municipality~~ **town** having a population of:
- 7 (A) more than fifteen thousand (15,000); ~~or~~
- 8 (B) more than five thousand (5,000) but less than six thousand
- 9 three hundred (6,300);
- 10 (C) **more than ten thousand (10,000) but less than fifteen**
- 11 **thousand (15,000); or**
- 12 (D) **more than six thousand three hundred (6,300) but less**
- 13 **than ten thousand (10,000);**
- 14 located in a county having a population of more than one hundred
- 15 thousand (100,000) but less than one hundred five thousand
- 16 (105,000).
- 17 (2) A ~~municipality~~ **city** having a population of more than thirty-two
- 18 thousand eight hundred (32,800) but less than thirty-three thousand
- 19 (33,000). ~~located in a county having a population of more than one~~
- 20 ~~hundred ten thousand (110,000) but less than one hundred fifteen~~
- 21 ~~thousand (115,000).~~

(3) A municipality that is located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(4) A town having a population of more than nine thousand (9,000) but less than thirty thousand (30,000) located in a county having a population of more than one hundred eighty thousand (180,000) but less than one hundred eighty-two thousand seven hundred ninety (182,790).

(5) A town having a population of:

(A) more than three thousand (3,000); or

(B) more than one thousand (1,000) but less than one thousand two hundred (1,200);

located in a county with a population of more than fifty-five thousand (55,000) but less than sixty-five thousand (65,000).

(6) A town having a population of more than five thousand (5,000) but less than ten thousand (10,000), the majority of which is located in a county containing a consolidated city.

(7) A city having a population of more than five thousand nine hundred ninety-four (5,994) but less than six thousand twenty-five (6,025).

(8) A city having a population of more than nine thousand five hundred thirty-five (9,535) but less than nine thousand six hundred (9,600).

(9) A town having a population of more than three thousand five hundred (3,500) located in a county having a population of more than one hundred thirty thousand (130,000) but less than one hundred forty-five thousand (145,000).

(b) Except as provided in subsection (c), the legislative body of a municipality ~~to which this section applies~~ may, by ordinance, annex territory that:

(1) is contiguous to the municipality;

(2) in the case of a ~~municipality town~~ described in subsection (a)(1), has its entire area within the township within which the ~~municipality town~~ is primarily located; and

(3) is owned by a property owner who consents to the annexation.

(c) Subsection (b)(2) does not apply to a ~~municipality town~~ having a population of:

(1) more than five thousand (5,000) but less than eight thousand (8,000); or

(2) more than nine thousand (9,000) but less than twelve thousand five hundred (12,500);

in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(d) Territory annexed under this section is exempt from all property tax liability under IC 6-1.1 for municipal purposes for all portions of the annexed territory that is classified for zoning purposes as agriculture and remains exempt from the property tax liability while the

- 1 property's zoning classification remains agriculture.
- 2 (e) There may not be a change in the zoning classification of territory
- 3 annexed under this section without the consent of the owner of the
- 4 annexed territory.
(Reference is to ESB 193 as reprinted February 26, 2002.)

Conference Committee Report
on
Engrossed Senate Bill 193

Signed by:

Senator Gard
Chairperson

Representative Grubb

Senator Craycraft

Representative Cherry

Senate Conferees

House Conferees